

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BOARD OF TRUSTEES OF CEMENT	)	
MASONS LOCAL 526 COMBINED	)	
FUNDS, INC.,	)	
Plaintiff,	)	
v.	)	No.: 06-1576
TERRITO CONSTRUCTION, INC. and	)	<b>CONSENT JUDGMENT</b>
JOSEPH TERRITO,	)	
Defendants.	)	Electronically Filed
	)	

**ORDER OF COURT**

AND NOW, this 30<sup>th</sup> day of March, 2006, upon application the parties have presented to the court a dispute concerning unpaid fringe benefits and have resolved the matter as follows:

1. That the Court has jurisdiction of the parties and of the subject matter; and
2. That this action has been brought under the terms of the Employee Retirement Income Security Act of 1974 (ERISA), 29 USC §1001-1381; and
3. That the defendant is bound by the terms and conditions of its collective bargaining agreement with plaintiff; and
4. That the defendant is indebted to the plaintiff, in the amount of \$32,786.66 this amount includes \$27,360.27 for fringe benefits and payroll deductions, \$3,501.39 in penalties and interest, \$1,500.00 in attorney's fees and \$425.00 in litigation costs, for the work period of March 1, 2003 through December 31, 2006.

5. Judgment is hereby entered against the defendant in the amount of \$32,786.66

Allison M. Murray  
 Stephen J. O'Brien, Esquire  
 Allison M. H. Murray, Esquire  
 Attorney for Plaintiff

Craig J. Territo  
 Territo Construction, Inc.  
 Defendant

Dorothy A. Ambrose  
 United States District Judge